

TRANSMITTAL LETTER			Case No. 11758/232
Serial No. 10/757,839	Filing Date January 14, 2004	Examiner To Be Assigned	Group Art Unit To Be Assigned
Inventor(s) George J. Jost			
Title of Invention Automatic Proximity Faucet with Override Control System and Method			

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Transmittal Letter (in duplicate), Information Disclosure Statement (in duplicate), Form PTO-1449, and Return Postcard.

- ☒ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Petition for a _____ month extension of time.
- ☒ No additional fee is required.
- ☐ The fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra
Total		Minus		
Indep.		Minus		
First Presentation of Multiple Dep. Claim				

Small Entity	
Rate	Add'l Fee
x \$9 =	
x 43 =	
+ \$145 =	
Total add'l fee	\$

Other Than Small Entity	
Rate	Add'l Fee
x \$18 =	
x \$86 =	
+ \$290 =	
Total add'l fee	\$

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$ _____. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Adam D. Airhart
Registration No. 51,387
Attorney for Applicant
Customer No. 00757 Brinks Hofer Gilson & Lione

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 14, 2004.

Date: 4-14-04

Signature:



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope, with sufficient postage, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

April 14, 2004

Date of Deposit

Adam D. Airhart - Reg. No. 51,387

Name of Applicant, Assignee or
Registered Representative

Signature

4-14-04

Date of Signature

Our Case No.: 11758-232

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jost et al.

Serial No.: 10/757,839

Filing Date: January 14, 2004

For: Automatic Proximity Faucet with
Override Control System and
Method

Examiner: Not Yet Assigned

Group Art Unit No.: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed below and on the attached Form PTO-1449 be considered by the Examiner and made of record.

The references now cited are the following:

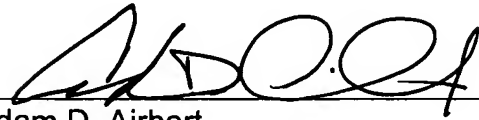
No.	Date	Name
5,730,165	March 24, 1998	Philipp
5,566,702	October 22, 1996	Philipp

In accordance with 37 C.F.R. § 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these material, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

Applicants respectfully request that the listed documents be made of record in
the present case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A.D. Airhart', is written over a horizontal line.

Adam D. Airhart
Registration No. 51,387
Attorney for Applicants

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FORM PTO-1449 PATENT & TRADEMARK OFFICE	SERIAL NO. 10/757,839	CASE NO. 11758-232
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE January 14, 2004	GROUP ART UNIT Not Yet Assigned
(use several sheets if necessary)		APPLICANT(S): Jost et al.

REFERENCE DESIGNATION U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1	5,730,165	3/24/1998	Philipp		12/26/1995
	A2	5,566,702	10/22/1996	Philipp		12/30/1994
	A3					
	A4					
	A5					
	A6					
	A7					
	A8					
	A9					
	A10					
	A11					
	A12					
	A13					

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	A14					
	A15					
	A16					
	A17					
	A18					

EXAMINER INITIAL	OTHER ART – NON PATENT LITERATURE DOCUMENTS <small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.</small>	
	A19	
	A20	
	A21	
	A22	
	A23	
	A24	

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.